



AFU

PTO/SB/21 (07-06)

Approved for use through 09/30/2006

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

|   |                        |                   |
|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/783,587        |
|   | Filing Date            | February 20, 1994 |
|   | First Named Inventor   | Joseph J. Kubler  |
|   | Art Unit               | 2661              |
|   | Examiner Name          | Not yet assigned  |
|   | Attorney Docket Number | 14364US08         |
| Total Number of Pages in This Submission  |                        | 11                |

**ENCLOSURES (check all that apply)**

|  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC ( <i>Appeal Notice, Brief, Reply Brief</i> )<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Return-Receipt Postcard<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO form PTO/SB08(a) in duplicate and PTO form PTO/SB08(b) in duplicate; Copy of Non-Patent Literature (4pp) |
| Remarks  |   |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|              |                               |                 |  |
|--------------|-------------------------------|-----------------|--|
| Firm         | McAndrews Held & Malloy, Ltd. |                 |  |
| Signature    |                               |                 |  |
| Printed Name | Kevin E. Borg                 | Reg. No. 51,486 |  |
| Date         | October 17, 2006              |                 |  |

**CERTIFICATE OF MAILING**

|   |               |                                   |                  |
|---|---------------|-----------------------------------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 |               |                                   |                  |
| Name (Print/type)   | Kevin E. Borg | Registration No. (Attorney/Agent) | 51,486           |
| Signature   |               | Date                              | October 17, 2006 |



Attorney Docket No. 14364US08

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:  
Joseph J. Kubler et al.

Serial No.: 10/783,587

Filed: February 20, 2004

For: Hierarchical Data Collection  
Network Supporting Packetized  
Voice Communication Among  
Wireless Terminals And Telephones

Group Art Unit: 2661

Examiner: Not yet assigned

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being  
deposited with the United States Postal Service  
as first-class mail, postage prepaid, in an  
envelope addressed to: Commissioner for  
Patents, PO Box 1450, Alexandria, VA 22313-  
1450

Date of Deposit: October 17, 2006

By: Kevin E. Borg  
Kevin E. Borg  
Reg. No. 51,486

**TRANSMITTAL OF INFORMATION DISCLOSURE  
STATEMENT AFTER APPLICATION FILING DATE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

- A completed PTO form PTO/SB/08(a) (in duplicate)
- A completed PTO form PTO/SB/08(b) (in duplicate)
- Copy of non-patent literature document as cited on PTO/SB08/(b)

## **FEE DETERMINATION**

\* No fee is believed to be due because:

The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

## **FEE PAYMENT**

The following arrangements have been made to pay the fees calculated above:

\* No fee is believed to be due.

The Commissioner is hereby authorized to charge any additional fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

## **REQUEST FOR CONSIDERATION**

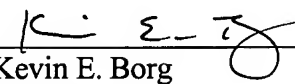
This paper and enclosures are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

This submission is in no way intended as an admission that the cited references constitute prior art under any subsection of 35 U.S.C. § 102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

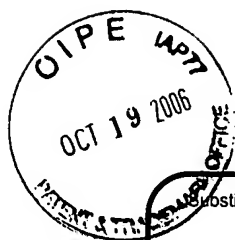
The Examiner is requested to initial both copies of the enclosed PTO form PTO/SB/08(a) and return one copy to the applicants to indicate consideration of the cited references.

Respectfully submitted,

Date: October 17, 2006

  
Kevin E. Borg  
Reg. No. 51,486

McAndrews, Held & Malloy  
500 West Madison Street, Suite 3400  
Chicago, Illinois 60661  
(312) 775-8000



PTO/SB/08a (07-06)

Approved for use through 09/30/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/783,587        |
| Filing Date            | February 20, 2004 |
| First Named Inventor   | Joseph J. Kubler  |
| Art Unit               | 2661              |
| Examiner Name          | Not yet assigned  |
| Attorney Docket Number | 14364US08         |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Document Number                            | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|------------------------|--------------------------|--|--------------------------------|--|---|
|                        |                          | Number - Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        |                          | 6,850,510                                  | February, 2005                 | Kubler et al.                                      |   |
|                        |                          | 5,506,847                                  | April, 1996                    | Shobatake  |   |
|                        |                          | 5,650,994                                  | July, 1997                     | Daley  |   |
|                        |                          | 5,745,556                                  | April, 1998                    | Ronen  |   |
|                        |                          | 5,842,224                                  | November, 1998                 | Fenner   |   |
|                        |                          | 6,108,704                                  | August, 2000                   | Hutton et al.                                      |   |
|                        |                          | 6,131,121                                  | October, 2000                  | Mattaway et al.                                    |   |
|                        |                          | 6,389,010                                  | May, 2002                      | Kubler et al.                                      |   |
|                        |                          | 5,818,836                                  | October, 1998                  | DuVal  |   |
|                        |                          | 5,850,385                                  | October, 1998                  | Esaki  |   |
|                        |                          | 5,737,395                                  | April, 1998                    | Iribarren  |   |
|                        |                          | 5,608,786                                  | March, 1997                    | Gordon   |   |
|                        |                          | 5,726,984                                  | March, 1998                    | Kubler et al.                                      |   |
|                        |                          | 4,789,983                                  | December, 1988                 | Acampora et al.                                    |   |
|                        |                          | 5,359,598                                  | October, 1994                  | Steagall et al.                                    |   |
|                        |                          | 5,434,858                                  | July, 1995                     | Focarile et al.                                    |   |
|                        |                          | 5,446,736                                  | August, 1995                   | Gleeson et al.                                     |   |
|                        |                          | 4,837,858                                  | June, 1989                     | Ablay et al.                                       |   |
|                        |                          | 5,425,051                                  | June, 1995                     | Mahany et al.                                      |   |
|                        |                          | 5,295,154                                  | March, 1994                    | Meier et al.                                       |   |
|                        |                          | 4,538,259                                  | August, 1985                   | Moore et al.                                       |   |
|                        |                          | 5,142,534                                  | August, 1992                   | Simpson et al.                                     |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|------------------------|--------------------------|---|-----------------------------------|---|--|----------------|
|                        |                          | Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) |                                   |   |  |                |
|                        |                          |   |                                   |   |  |                |
|                        |                          |   |                                   |   |  |                |
|                        |                          |   |                                   |   |  |                |
|                        |                          |   |                                   |   |  |                |
|                        |                          |   |                                   |   |  |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 2 of 2

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/783,587        |
| Filing Date            | February 20, 2004 |
| First Named Inventor   | Joseph J. Kubler  |
| Art Unit               | 2661              |
| Examiner Name          | Not yet assigned  |
| Attorney Docket Number | 14364US08         |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|------------------------|--------------------------|---|----------------|
|                        |                          | Black, Uyless, ATM Volume I, Prentice Hall, 1995, PP: 244-245   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |
|                        |                          |   |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.